

**STATE OF MISSISSIPPI  
COUNTY OF HANCOCK**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE INTERLOCAL  
AGREEMENT BETWEEN HANCOCK COUNTY, MISSISSIPPI AND THE CITY OF  
DIAMONDHEAD FOR THE COLLECTION OF SOLID WASTE FEES**

WHEREAS, in the desire of both governmental agencies, the City of Diamondhead under the authority of Chapter 19, Title 21, Mississippi Code 1972 Annotated, as amended is authorized to provide for the collection and disposal of garbage and the disposal of rubbish; and,

WHEREAS, the City of Diamondhead, under the authority of Chapter 19, Title 21, Mississippi Code Annotated, as amended is authorized to contract with a public agency for the purpose of developing, maintaining, operating and administering a system for billing and/or collection of fees or charges imposed by the municipality for the purpose of developing, maintaining, operating and administering a system for the billing and/or collection of fees or charges imposed by the municipality for garbage and/or rubbish collection;

through consolidation of services and reduction of costs where possible; and

WHEREAS, the City of Diamondhead, through its governing authority, and Hancock County, Mississippi, through its Board of Supervisors, desire to re-enter into an Interlocal Agreement to provide for consolidated solid waste fee collection services, and

WHEREAS, the purpose of such an Agreement is to provide for the collection of solid waste fees by the Hancock County Tax Assessor/Collector for the City of Diamondhead, with the providing of such governmental services, as more specifically set forth in the interlocal agreement, under the terms and conditions set forth therein; and


NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DIAMONDHEAD, by and through its Mayor and City Council (hereinafter referred to as the "CITY"), that the Mayor is

hereby authorized to execute and enter into an Interlocal Agreement Relating to the Collection of Solid Waste Fees with Hancock County, Mississippi for the specified services as therein defined;, and subject to the approval of the Attorney General of the State of Mississippi.

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING RESOLUTION WAS ADOPTED IN THE AFFIRMATIVE BY THE FOLLOWING VOTE OF COUNCIL OF THE CITY OF DIAMONDHEAD ON THE 17th DAY OF September, 2019.

|                        | Aye                                 | Nay                      | Absent                   |
|------------------------|-------------------------------------|--------------------------|--------------------------|
| Mayor Schafer          | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Councilmember Depreo   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Councilmember Moran    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Councilmember Morgan   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Councilmember Koenenn  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Councilmember L'Ecuyer | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

ATTEST:   
CITY CLERK

APPROVED:   
THOMAS SHAFER, IV MAYOR





## **INTERLOCAL AGREEMENT RELATING TO THE COLLECTION OF SOLID WASTE FEES**

WHEREAS, the City of Diamondhead, Mississippi, under the authority of Chapter 19, Title 21, Mississippi Code of 1972, is authorized to provide for the collection and disposal of garbage and the disposal of rubbish; and

WHEREAS, the City of Diamondhead, Mississippi, under the authority of Chapter 19, Title 21, Mississippi Code of 1972, is authorized to contract with a public agency for the purpose of developing, maintaining, operating and administering a system for the billing and/or collection of fees or charges imposed by the municipality for the purpose of developing, maintaining, operating and Administering a system for the billing and/or collection of fees or charges imposed by the municipality for garbage and/or rubbish collection.

WHEREAS, the Hancock County Tax Collector currently collects the solid waste fees for Hancock County.

WHEREAS, it is the desire of both of these local governmental units to serve the best interest of their citizens through consolidation of services and reduction of costs where possible:

NOW THEREFORE, IT IS AGREED, by and between the City of Diamondhead ("City") and Hancock County ("County") as follows:

1. The duly elected Tax Collector of Hancock County shall assume the responsibility for the collection of all solid waste fees in the City of Diamondhead.
2. This agreement will supersede and replace any previous agreements between the City and the County relating to the collection of solid waste fees.
3. The City agrees to allow the County to retain 3% of the gross collections under this agreement as a commission to the County, for any and all services, supplies, equipment, compensation, space and other effort necessary to carry out the terms of this agreement.
4. All sums collected shall be delivered to the City on or before the 20th of the month following that in which said funds are collected.

5. The County Tax Collector will make refunds of all solid waste fees erroneously collected by his office and will make proper adjustments to the daily and monthly distribution reports accordingly.
6. The Tax Collector shall notify the City of any unpaid solid waste fees or charges imposed by the City for garbage and/or rubbish collection on a monthly basis.
7. The County shall pay unto the Tax Assessor - Collector the sum and of Eight Thousand Five Hundred Dollars (\$8,500.00) for collection of solid waste fees set out in this agreement for his/her services rendered in collecting and disbursing said solid waste fees and he/she shall be liable for said collection and distribution.
8. The City shall have the right to audit the County Tax Collector's records at any time as they may relate to this contract in any way.
9. The County shall provide all solid waste fee collection services on a fair and equitable basis regardless of whether the solid waste fees are being collected under the terms of this agreement or under the customary services of the County.
10. This contract will be in effect commencing January 1, 2020 and thereafter shall be automatically renewed on an annual basis unless terminated by one of the parties hereto. It is understood between the parties hereto that neither entity can bind its successors in office and that this agreement can be canceled should the successors in office elect to do so.
11. Amendment of this contract shall take place only by mutual written consent of the parties.
12. This agreement shall be in force and in effect from and after its approval by the Attorney General pursuant to Section 17-13-11, Mississippi Code of 1972, as amended.
13. The terms and provisions of this Agreement do not require the establishment of a joint Board.
14. It is not the intent of this Agreement that title to any real or personal property be transferred between the parties in order to implement this Agreement. Title to all real and personal property shall remain vested in the party in which it is now vested. All real and personal property owned by the City or

purchased by the City pursuant to this Agreement shall remain the property of the City. All real and personal property owned or purchased by Hancock County pursuant to this Agreement shall remain the property of Hancock County upon the termination of this Agreement.

15. No additional real or personal property is to be acquired, held or disposed of in this joint or cooperative undertaking, and all real and personal property utilized by any party in implementing this Agreement shall remain the parties' property upon partial or complete termination of this Agreement.

THIS AGREEMENT is entered into by the governing authorities of the City and the County on this the 17th day of September, 2019.

CITY OF DIAMONDHEAD, MISSISSIPPI

BY: \_\_\_\_\_

MAYOR

HANCOCK COUNTY, MISSISSIPPI

BY: \_\_\_\_\_

PRESIDENT OF THE HANCOCK COUNTY BOARD OF SUPERVISORS

APPROVED

\_\_\_\_\_  
HANCOCK COUNTY TAX COLLECTOR - ASSESSOR